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PATENT
ATTORNEY DOCKET NO.: 063101-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
James STEPHENSON et al.) Confirmation No.: 2104
Application No.: 10/039,296) Group Art Unit: 2827
Filed: October 19, 2001) Examiner: C. Yoha
For: NON-VOLATILE MAGNETIC)
MEMORY DEVICE) **Mail Stop Amendment**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated January 25, 2005.
2. Additional papers enclosed.

Revocation of Original Power of Attorney and Grant of New Power by Assignee(s)
 Change of Correspondence Address
 Form PTO-1449, 1 reference included
 Citations

06/29/2005 EAREGAY1 00000026 500310 10039296

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input checked="" type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$1020.00	\$510.00
<input type="checkbox"/> four months	\$1590.00	\$795.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for ___ months has already been secured and the fee paid therefor of \$ ___ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	81	Minus	81	0	x \$50.00 each=	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	4	Minus	4	0	x \$200.00 each=	+\$ 0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+\$ 0.00
					SUB-TOTAL =	\$ 0.00
					Reduction by 1/2 for filing by a small entity-	\$
					TOTAL FEE =	\$ 0.00

6. Fee Payment

No fee is to be paid at this time.

Please charge our Deposit Account No. 50-0310 in the amount of \$450.00 for the two-month extension of time fee.

The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 27, 2005

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By: 

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